

Goodwin Procter LLP  
10250 Constellation Blvd.  
Los Angeles, California 90067

1 BROOKS R. BROWN (SBN 250724)  
bbrown@goodwinprocter.com  
2 **GOODWIN PROCTER LLP**  
10250 Constellation Blvd.  
3 Los Angeles, California 90067  
Tel.: 310.788.5100  
4 Fax: 310.286.0992

5 ROBERT B. BADER (SBN 233165)  
rbader@goodwinprocter.com  
6 **GOODWIN PROCTER LLP**  
Three Embarcadero Center, 24th Floor  
7 San Francisco, California 94111  
Tel.: 415.733.6000  
8 Fax: 415.677.9041

9 Attorneys for Defendants: *Countrywide Home*  
Loans, Inc. f/k/a *Americas Wholesale Lender*,  
10 *Countrywide Home Loans, Inc.*, and  
*Countrywide Bank, FSB*  
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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 DOROTHY PERALTA, STEVEN S.  
16 BIGVERDI, and JAMES MOSCOSO, on  
behalf of themselves and others similarly  
17 situated,

18 Plaintiffs,

19 v.

20 COUNTRYWIDE HOME LOANS, INC.  
f/k/a AMERICAS WHOLESALE LENDER,  
21 COUNTRYWIDE HOME LOANS, INC.,  
and COUNTRYWIDE BANK, FSB; and  
22 DOES 1 through 200, inclusive,

23 Defendants.  
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Case No. C 09-03288 PJH

**STIPULATION AND ~~PROPOSED~~ ORDER  
EXTENDING DEADLINE FOR  
DEFENDANTS COUNTRYWIDE HOME  
LOANS, INC. F/K/A AMERICAS  
WHOLESALE LENDER, COUNTRYWIDE  
HOME LOANS, INC. AND COUNTRYWIDE  
BANK, FSB TO RESPOND TO FIRST  
AMENDED COMPLAINT**

Removed from Alameda County Superior Court,  
Case No. RG 09455493

Judge: Hon. Phyllis J. Hamilton

Pursuant to Fed. R. Civ. P. 6(b) and Local Rule 6-1, plaintiffs Dorothy Peralta, Steven S. Bigverdi and James Moscoso (collectively, "Plaintiffs") and defendants named as Countrywide Home Loans, Inc., Countrywide Home Loans, Inc. f/k/a America's Wholesale Lender, and Countrywide Bank, FSB (collectively, the "Countrywide Defendants") (the Countrywide Defendants, together, with Plaintiffs, the "Parties"), through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on June 2, 2009, Plaintiffs filed their Class Action Complaint for: Fraudulent Omissions, Violation of Bus. & Prof. Code § 17200, *et seq.*, Breach of Contract, and Tortious Breach of the Covenant of Good Faith and Fair Dealing ("Complaint") in the Superior Court of California, Alameda County (the "State Court Action");

WHEREAS, on June 18, 2009, Plaintiffs filed their First Amended Class Action Complaint for: Fraudulent Omissions, Violation of Bus. & Prof. Code § 17200, *et seq.*, Breach of Contract, and Tortious Breach of the Covenant of Good Faith and Fair Dealing ("FAC") in the State Court Action;

WHEREAS, service of the Complaint was not effected upon the Countrywide Defendants;

WHEREAS, on or about July 16, 2009, Plaintiffs effected service of the FAC upon Countrywide Home Loans, Inc.;

WHEREAS, before service of the FAC was effected upon the remaining Countrywide Defendants, they timely removed the State Court Action to this Court pursuant to 28 U.S.C. §§ 1331 and 1332, as amended in relevant part by the Class Action Fairness Act of 2005 and authorized by 28 U.S.C. §§ 1367, 1441 and 1453 on July 17, 2009;

WHEREAS, under Fed. R. Civ. P. 81(c)(2), Countrywide Home Loans, Inc.'s time to answer or otherwise plead in response following the removal was at least twenty (20) days after service of the FAC. Fed. R. Civ. P. 81(c)(2);

WHEREAS, inasmuch as service had not been effected upon the remaining Countrywide Defendants at the time of the removal, the Countrywide Defendants' counsel contacted Plaintiffs' counsel on July 20, 2009 to discuss a mutually agreeable date for the Countrywide Defendants to answer or otherwise plead in response to the FAC;

1 WHEREAS, as a result of that conference and to ensure a coordinated response date,  
2 Plaintiffs and the Countrywide Defendants agreed that the Countrywide Defendants should have  
3 up to and including August 24, 2009 to answer or otherwise plead in response to the FAC;

4 WHEREAS, Plaintiffs and the Countrywide Defendants filed a Stipulation setting forth  
5 their agreement on July 21, 2009. *See Stipulation* (July 21, 2009) (Docket No. 9);

6 WHEREAS, on August 19, 2009, the Countrywide Defendants' requested, and Plaintiffs'  
7 counsel agreed to, a brief extension, up to and including September 1, 2009, of the current, agreed-  
8 upon deadline for the Countrywide Defendants to answer or otherwise plead in response to the  
9 FAC in light of a family medical emergency involving the mother one of its counsel, Robert B.  
10 Bader, that has required him to travel out-of-state for an indefinite period;

11 WHEREAS, no party will be prejudiced by the stipulated-to extension of time; and

12 WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights or defenses  
13 otherwise available to the Parties in this action.

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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiffs,  
2 by their undersigned counsel, and the Countrywide Defendants, by their undersigned counsel, that  
3 the Countrywide Defendants shall have through and including September 1, 2009 to answer or  
4 otherwise respond to the FAC in this action.

5  
6 Respectfully submitted,

7 Dated: August 19, 2009

By: /s/ Brooks R. Brown

8 Brooks R. Brown  
9 *bbrown@goodwinprocter.com*  
10 **GOODWIN PROCTER LLP**  
10250 Constellation Blvd.  
Los Angeles, California 90067  
Tel.: 310.788.5100

11 Robert B. Bader  
12 *rbader@goodwinprocter.com*  
13 **GOODWIN PROCTER LLP**  
Three Embarcadero Center, 24th Floor  
San Francisco, CA 94111  
Tel.: 415.733.6000

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15 Attorneys for Defendants:  
16 *Countrywide Home Loans, Inc. f/k/a Americas*  
17 *Wholesale Lender; Countrywide Home Loans,*  
18 *Inc.; and Countrywide Bank, FSB*

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1 Dated: August 19, 2009

/s/ David M. Arbogast  
David M. Arbogast, Esq.  
*darbogast@law111.com*  
Jeffrey K. Berns, Esq.  
*jberns@jeffbernsllaw.com*  
**ARBOGAST & BERNS, LLP**  
19510 Ventura Blvd., Suite 200  
Tarzana, CA 91356

Gerson H. Smoger  
*gersonsmoger@gmail.com*  
Steven M. Bronson  
*steven.bronson@gmail.com*  
Mark T. Baller  
*mark.baller@gmail.com*  
**SMOGER & ASSOCIATES**  
3175 Monterey Boulevard  
Oakland, CA 94602-3560

Jonathan Shub, Esq.  
*jshub@seegerweiss.com*  
Miriam L. Schimmel  
*mschimmel@seegerweiss.com*  
**SEEGER WEISS LLP**  
1515 Market Street, Suite 1380  
Philadelphia, PA 19102

Attorneys for Plaintiffs:  
*Steven S. Bigverdi, Dorothy Peralta and James*  
*Moscoso*

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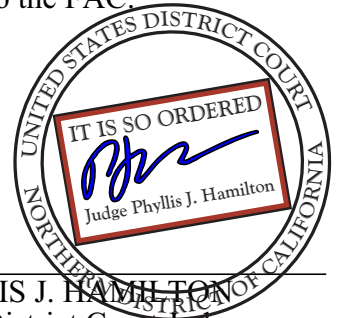
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~~PROPOSED~~ ORDER

Pursuant to the foregoing Stipulation Extending Time, and for good cause having been shown, IT IS HEREBY ORDERED THAT the Countrywide Defendants shall have up to and including September 1, 2009 to answer or otherwise plead in response to the FAC.

IT IS SO ORDERED.

Dated: August 21, 2009, 2009



HON. PHYLLIS J. HAMILTON  
United States District Court Judge